

SESSION II

SEVEN DRUG CATEGORIES AND MAJOR INDICATORS OF IMPAIRMENT

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Upon successfully completing this session, the participant will be able to:

- o Overview the major indicators of impairment
- o Name examples of the drugs in each of the seven categories
- o Identify the indicators of impairment associated with each drug category
- o Describe medical clues that mimic drug impairment

CONTENT SEGMENTS

- A. Major Indicators of
 Impairment
- B. Drug Categories

LEARNING ACTIVITIES

- o Instructor-Led Presentation
- o Instructor-Led Presentation

THE SEVEN DRUG CATEGORIES AND MAJOR INDICATORS OF IMPAIRMENT

A. Major indicators of impairment.

All drugs affect the body in a predictable fashion with different categories affecting the body differently.

As you conduct your investigation, you will see signs and symptoms that indicate the suspect is under the influence of drugs other than alcohol. The documentation of your observations will be crucial to convincing court testimony. At the end of Session II, a sample Field Note Sheet is included to assist you in documenting your observations.

DIVIDED ATTENTION PSYCHOPHYSICAL TESTS

During the examination you will collect the evidence that will establish whether the suspect, at that moment, is impaired and cannot operate a vehicle safely. It is common knowledge to judges, juries and police officers that safe driving demands that operators of vehicles are able to attend properly to many things at the same time. We have to be able to steer and control the accelerator and look for other traffic and identify stop signs and signal lights, and on and on.

This means that we have to be able to divide our attention among all of the individual tasks that constitute driving a vehicle. One thing all drugs have in common is that they impair a person's ability to divide their attention. Drugs simply make it very difficult for people to handle several tasks at the same time. People who are impaired by drugs won't be able to perform these tests very well, and the mental and physical mistakes they make will go a long way toward convincing the judge and/or jury that the suspect was in fact impaired.

You should always use the SFST test battery as you were previously instructed. When drug impairment is suspected the Romberg Balance test is an additional test that can be used to evaluate the suspect. All these tests are **STANDARDIZED**, in their administration, documentation and interpretation. This means we always give exactly the same instructions to the suspect when we use these tests; we always record the suspects' performance in a prescribed manner; and always look for a specific set of clues to determine to what extent the suspect is impaired.

The Three Standardized Tests Are:

Horizontal Gaze Nystagmus (HGN)
Walk and Turn
One Leg Stand

In the event drug impairment is suspected the **Romberg Balance** test should be administered to evaluate the suspect's internal clock.

The tests are in the sequence in which they should be administered.

Three of the tests, namely the Horizontal Gaze Nystagmus (HGN), Walk and Turn and the One Leg Stand, have been scientifically validated. That means the tests were subjected to controlled research, involving hundreds of volunteer drinkers, in which it was demonstrated that they could reliably discriminate between impaired and unimpaired subjects. That same research program demonstrated the scientific validity of horizontal gaze nystagmus for identifying alcohol impairment. The other test, Romberg Balance, has not been subjected to the same scientific scrutiny causing it not to be validated. Saying a test is not validated is not the same as saying the test is invalid. Properly administered and recorded the Romberg Balance produces very important and credible evidence of a suspects' impairment.

HORIZONTAL GAZE NYSTAGMUS (HGN)

This is the first of the three standardized field sobriety tests that you will administer to the suspect. Nystagmus is the involuntary jerking of the eyes. HGN is a very reliable field sobriety test by itself (77%). The test requires the suspect to follow a stimulus that is moved in front of the suspect's face.

Administrative Procedures

- o Have the suspect remove their glasses if they are wearing them.
- o Tell the suspect to put their feet together and place their hands at their sides.
- o Tell the suspect to keep their head still during the test.
- o Tell the suspect to look at the specific stimulus.
- o Tell the suspect to follow the movement of the stimulus with their eyes only.

- o Tell the suspect to continue looking at the stimulus until they are told that the test is over.
- o Position the stimulus approximately 12 to 15 inches in front of the suspects nose, and slightly above eye level to commence the test.
- o Check for equal tracking of the eyes.
- o Check for equal pupil size and check for resting nystagmus.
- o Check the eyes for lack of smooth pursuit. Always starting with the suspect's left eye.
- o Check the eyes for distinct and sustained nystagmus at maximum deviation. Start with the left eye.
- o Check the eyes for the onset of nystagmus prior to 45 degrees. Start with the left eye.
- o Total the clues.
- o Check for Vertical Nystagmus.

DOCUMENTING THE TEST

Three validated clues of impairment have been established for the Horizontal Gaze Nystagmus test.

- o Lack of smooth pursuit
- o Distinct and sustained nystagmus at maximum deviation
- o Onset of nystagmus prior to 45 degrees

A minimum of four clues are needed to determine if the suspect's B.A.C. level is above 0.10 percent.

WALK AND TURN

This test should already be very familiar to you from your previous training. The test requires the suspect to stand in a heel-to-toe position with arms at the sides while a series of instructions are given. Then, the suspect must take nine heel-to-toe steps along a line, turn in a prescribed manner, and take another nine heel-to-toe steps along the line. All of this must be done while counting the steps out-loud and keeping the arms at the sides. The suspect should not stop walking until the test is completed.

Administrative Procedures

- o Tell the suspect to place their left foot on the line.
- o Tell the suspect to place the right foot on the line, in front of the left foot, with the heel of the right foot against the toe of the left foot. **DEMONSTRATE** the heel-to-toe stance.
- o Tell the suspect to put their arms down against their sides, and to keep them there throughout the entire test.
- o Tell the suspect that they are to maintain this position while you give the instructions. **EMPHASIZE** that the suspect must not start walking until you say to "begin".
- o Ask the suspect if they understand.

NOTE: If at any time while you are giving the rest of the instructions the suspect should break away from the heel-to-toe stance, stop giving instructions until they resume the stance.

- o Tell the suspect that, when you say to "begin", they must take nine heel-to-toe steps, turn around, and take nine heel-to-toe steps back.
- o Tell the suspect that every time they take a step, the heel must be placed against the toe of the other foot. **DEMONSTRATE** several heel-to-toe steps.
- o Tell the suspect that, when the ninth step has been taken, they must leave the front foot on the line, and turn around using a series of small steps with the other foot. **DEMONSTRATE** a proper turn.
- o Remind the suspect that, after turning, they must take another nine heel-to-toe steps up the line.
- o Tell the suspect to watch their feet at all times, count the steps out loud, and keep the arms down at the sides.
- o Tell the suspect that, once they start walking, not to stop walking until the test has been completed.
- o Ask the suspect if they understand.
- o Tell the suspect to "begin".

DOCUMENTING THE TEST

Eight validated clues of impairment have been identified for the Walk and Turn test. Two clues apply while the suspect is standing heel-to-toe and listening to the instructions:

- o Cannot keep balance (i.e., suspect breaks away from the heel-to-toe stance)
- o Starts too soon (i.e., suspect starts walking before you say "begin")

At the top of the checklist portion of the Walk and Turn segment of the standardized note guide, you will record the number of times these two clues were observed while you were giving the instructions. For example, if the suspect breaks away from the heel-to-toe stance twice, put two check marks in the "Cannot keep balance" block.

The other **six** validated clues apply during the walking stage of the test. They are:

- o Stops walking
- o Misses heel-to-toe
- o Steps off the line
- o Raises the arms while walking
- o Takes the wrong number of steps
- o Turns improperly

In the checklist area, you will record the first five of those, separately for the first nine steps and the second nine steps. Below the checklist area, you will describe how the suspect turned. If they turned in the appropriate fashion, simply write "proper" in that space. If the suspect "staggered to the left" or executed an "about face" turn, write that description in the space.

If the suspect was unable to begin or complete the test, explain why. Usually, this will be due either to a physical infirmity that precludes the test entirely (e.g., "suspect has an artificial left leg") or to your decision to stop the test (e.g., "suspect is in danger of being injured due to the lack of balance"). Whatever the case might be, some reason must be documented for a test that wasn't given or completed.

ONE LEG STAND

This test requires the suspect to stand on one leg. The other leg is to be extended in front of the suspect in a stiff-leg manner, with the foot held approximately six inches above and parallel with the ground. The suspect is to stare at the elevated foot, and count out loud, in this fashion: "one thousand and one, one thousand and two, one thousand and three, ..." and so on until told to stop. You will time the test and terminate it at the end of 30 seconds.

Administrative Procedures

- o Tell the suspect to stand with their feet together and the arms down at the sides.
- o Tell the suspect to maintain that position while you give the instructions; emphasize that they should not try to perform the test until you say to "begin".
- o Ask the suspect if they understand.
- o Tell the suspect that, when you say to "begin", they must raise either leg in a stiff-leg manner, and hold the foot approximately six inches off the ground, with the toe pointed forward so that the foot is parallel with the ground.
- o **DEMONSTRATE** the proper one-legged stance.
- o Tell the suspect that they must keep the arms at the sides and must keep looking directly at the elevated foot, while counting in the following fashion: "one thousand and one, one thousand and two, one thousand and three", and so on until told to stop.
- o Ask the suspect if they understand.
- o Tell the suspect to "begin".

NOTE: It is important that this test last for thirty seconds. You must keep track of the time. If the suspect counts slowly, you will tell him or her to stop when thirty actual seconds have gone by, even if, for example, the suspect has only counted to "one thousand and twenty". On the other hand, if the suspect is counting rapidly, tell them to keep counting until you say to stop.

Indicate/record the suspects actual internal clock time and direct the suspect to continue counting until the actual thirty seconds is consumed then stop that portion of the test. The suspect shall, perform the counting as well as being timed by the evaluator.

DOCUMENTING THE TEST

Four validated clues of impairment have been identified for the One Leg Stand:

- o Sways while balancing
- o Uses arms to balance
- o Hopping
- o Puts foot down

You will place check marks in or near the small boxes to indicate how many times you observed each of the clue. You should further indicate at which point the clues were observed, i.e., 0-10 seconds, 11-20 seconds or 21-30 seconds.

You must pay attention to the suspects general appearance and behavior while they perform this test. Take note of any body tremors or muscle tension that may be apparent. Listen for any unusual or "interesting" sounds or statements the suspect might make while the test is in progress. Make sure that any such information is documented on a SFST Field Note Sheet or in your narrative report.

ROMBERG BALANCE

This test requires the suspect to stand with both feet together, the head tilted slightly back, the eyes closed and estimate the passage of thirty seconds. When the suspect believes that the thirty seconds have passed, they are to tilt the head forward, open their eyes and say "stop".

Administrative Procedures

- o Tell the suspect to stand with the feet together and the arms down at the sides.
- o Tell the suspect to maintain that position while you give the instructions. Emphasize that they must not start the test until you say "begin".
- o Ask the suspect if they understand so far.
- o Tell the suspect that, when you tell them to, they must tilt their head back slightly and close their eyes. **DEMONSTRATE** how the head should be tilted back, but **DO NOT CLOSE YOUR EYES** while demonstrating.
- o Tell the suspect that when you say "start", they must keep their head tilted back with the eyes closed until they think that thirty seconds have gone by. **DO NOT** tell the suspect to "count to thirty seconds" or to use any other specific procedure to keep track of time.

But on the other hand, DO NOT tell the suspect that they are not allowed to count to thirty seconds. SIMPLY SAY, "keep your head tilted back with your eyes closed until you think that thirty seconds have gone by".

- o Tell the suspect that, when they think the thirty seconds have gone by, to bring their head forward, open their eyes, and say "stop".
- o Ask the suspect if they understand.
- o Look at your watch and pick a convenient time to start the test.
- o Tell the suspect to tilt their head back and close their eyes.
- o Tell the suspect to begin and start timing.
- o Keep track of the time while the suspect performs the test.
- o When the suspect opens their eyes, ask them "how much time was that?" and document their response.
- o If ninety seconds elapse before the suspect opens their eyes, stop the test.

Look and listen for the following:

- o suspect unable to stand still or steady with the feet together
- o body tremors
- o eyelid tremors
- o muscle tone (either more rigid or more flaccid than normal)
- o any statements or unusual sounds made by the suspect when performing the test

E. Documenting the Test

Record the estimated number of inches of sway exhibited by the suspect. You should estimate the approximate extent of swaying for both front to back and side to side.

To indicate impairment of the suspects' "internal clock", record the actual number of seconds the suspect stood with the eyes closed.

Document any of the above, or any other noteworthy observations and explain as necessary in the narrative section of your report.

OBSERVATIONS

SUSPECT'S BREATH

- ☐ Odor of alcohol
- ☐ Chemical odor
- ☐ Cannabis odor

OBSERVATION OF FACE

- ☐ Normal
- ☐ Flushed
- ☐ Pale
- ☐ Other (describe)

GENERAL APPEARANCE

- ☐ Clean
- ☐ Orderly
- ☐ Disarranged
- ☐ Bloody
- ☐ Vomit
- ☐ Urine

EYES

- ☐ Normal
- ☐ Watery
- ☐ Bloodshot
- ☐ Pink/Red

ATTITUDE

- ☐ Anxious
- ☐ Restless
- ☐ Agitated
- ☐ Excited
- ☐ Combative
- ☐ Disinterested
- ☐ Uninhibited
- ☐ Disoriented
- ☐ Drowsy
- ☐ Confused
- ☐ Hallucinating
- ☐ Loss of Memory
- ☐ Cyclic mood swings
- ☐ Polite
- ☐ Antagonistic
- ☐ Stuporous
- ☐ Cooperative/indifferent
- ☐ Laughing
- ☐ Insulting
- ☐ Argumentative
- ☐ Fumbling

SPEECH

- ☐ Talkative
- ☐ Thick, slurred
- ☐ Incoherent
- ☐ Rapid
- ☐ Slow
- ☐ Non-communicative
- ☐ Repetitive

PHYSICAL ACTIONS

- ☐ Facial itching
- ☐ Dry mouth
- ☐ Nodding
- ☐ Droopy eyelids
- ☐ Low, raspy voice
- ☐ Body tremors
- ☐ Muscle tone - rigid
- ☐ Muscle tone - flaccid
- ☐ Muscle tone - normal
- ☐ Grinding of teeth

OTHER

- ☐ Nasal redness
- ☐ Runny nose
- ☐ Track marks
- ☐ Perspiring
- ☐ Warm to touch
- ☐ Intense headaches
- ☐ Residue of paint on person
- ☐ Debris
- ☐ Pills
- ☐ Vials
- ☐ Syringes
- ☐ Drug paraphernalia